

# SENATE RECORD VOTE ANALYSIS

106th Congress  
1st Session

Vote No. 14

February 4, 1999, 4:16 p.m.  
Page S-1211 Temp. Record

## CLINTON IMPEACHMENT/Prior Notice of Video Excerpts to be Presented

**SUBJECT:** Impeachment trial of William Jefferson Clinton for perjury and obstruction of justice. White House Counsel Ruff motion to require prior notice for each video excerpt to be presented.

### ACTION: MOTION REJECTED, 46-54

**SYNOPSIS:** On December 19, 1998, the House of Representatives impeached (indicted) President Clinton for perjury and obstruction of justice based on his actions and statements in relation to a Federal civil rights sexual harassment lawsuit that was filed against him by a former employee, Paula Corbin Jones. Ms. Jones alleged that in 1991, when she was an Arkansas State employee, then-Arkansas Governor Clinton exposed himself to her in a crude sexual advance which she refused, and that she subsequently and consequently suffered numerous adverse employment actions and was defamed. During the discovery phase of the lawsuit, the presiding judge ordered President Clinton to answer under oath certain questions posed by Ms. Jones' attorneys regarding any history he had of involvement in sexual relationships with State or Federal employees (such lines of questioning in sexual harassment lawsuits are a common means of establishing whether patterns of similar sexual harassment exist, including patterns of reward and punishment based upon the responses of subordinate employees to sexual advances). Those questions, which were posed in January, 1998, included questions regarding his relationship with a former White House intern, Monica Lewinsky (President Clinton had met Ms. Lewinsky and had begun a relationship with her when she was an intern). Later, in August, 1998, Ms. Lewinsky testified before a Federal grand jury, under a grant of immunity, regarding an affidavit she had filed in the *Jones* case. She gave detailed testimony and provided extensive corroborating physical evidence of a sexual relationship with the President. The President also testified before that grand jury in August. His testimony concerned his relationship with Ms. Lewinsky, his testimony before the Federal court in the sexual harassment lawsuit, and actions he took and statements he made before and after testifying in that lawsuit. The House impeachment of the President for obstruction of justice is based on numerous charges that he illegally tried to conceal the nature of his relationship with Ms. Lewinsky from the Federal court and the grand jury, and its impeachment of him for perjury is based on charges of numerous perjurious statements in his grand jury testimony, including

(See other side)

YEAS (46)			NAYS (54)		NOT VOTING (0)	
Republicans (1 or 2%)	Democrats (45 or 100%)		Republicans (54 or 98%)	Democrats (0 or 0%)	Republicans (0)	Democrats (0)
Jeffords	Akaka	Kennedy	Abraham	Helms	<b>EXPLANATION OF ABSENCE:</b> 1—Official Business 2—Necessarily Absent 3—Illness 4—Other  <b>SYMBOLS:</b> AY—Announced Yea AN—Announced Nay PY—Paired Yea PN—Paired Nay	
	Baucus	Kerrey	Allard	Hutchinson		
	Bayh	Kerry	Ashcroft	Hutchison		
	Biden	Kohl	Bennett	Inhofe		
	Bingaman	Landrieu	Bond	Kyl		
	Boxer	Lautenberg	Brownback	Lott		
	Breaux	Leahy	Bunning	Lugar		
	Bryan	Levin	Burns	Mack		
	Byrd	Lieberman	Campbell	McCain		
	Cleland	Lincoln	Chafee	McConnell		
	Conrad	Mikulski	Cochran	Murkowski		
	Daschle	Moynihan	Collins	Nickles		
	Dodd	Murray	Coverdell	Roberts		
	Dorgan	Reed	Craig	Roth		
	Durbin	Reid	Crapo	Santorum		
	Edwards	Robb	DeWine	Sessions		
	Feingold	Rockefeller	Domenici	Shelby		
	Feinstein	Sarbanes	Enzi	Smith, Bob		
	Graham	Schumer	Fitzgerald	Smith, Gordon		
	Harkin	Torricelli	Frist	Snowe		
	Hollings	Wellstone	Gorton	Specter		
	Inouye	Wyden	Gramm	Stevens		
	Johnson		Grams	Thomas		
			Grassley	Thompson		
			Gregg	Thurmond		
			Hagel	Voinovich		
			Hatch	Warner		

charges of perjury regarding his relationship with Ms. Lewinsky and his efforts to obstruct justice in the sexual harassment case against him.

The White House Counsel Ruff motion would require the House Managers to provide by 2:00pm, February 5, 1999, written notice to the President's counsel of the precise page and line designations of any video excerpts from the depositions of Monica Lewinsky, Vernon Jordan, or Sidney Blumenthal (see vote Nos. 5 and 12) that they planned to use during their 3-hour presentation on Saturday (the Majority Leader had earlier announced that if the Senate agreed to permit the presentation of video excerpts that presentation would be on Saturday, February 6, and would be for 6 hours, equally divided) or during their closing arguments.

Arguments by the House Managers:

The President's lawyers are asking the Senate to make us to disclose ahead of time every bit of evidence that we will present. It is a highly unusual request. We recall the response by one of the late great justices of the California Supreme Court, Otto Kaus, when a similar request was made of him: "I believe the appropriate legal response to your request is that it is none of your damn business what the other side is going to put on."

Arguments by lawyers for the President:

It is normal in a civil trial to designate ahead of time the portions of depositions that are going to be presented in court. In this instance, such prior designation by the House Managers would make the trial fairer because it would give us time to prepare responses. Also, it might make the trial move more quickly, because we might decide not to present some videotaped excerpts if we found out that the House Managers were going to present those same excerpts.